

REMARKS¹

Claims 1, 3-14, and 21-25 were pending in this application when last examined, and remain pending. Claims 1 and 21 are amended and claim 5 is canceled through this response. Specifically, Claims 1 and 21 are amended to recite “the at least one amorphous film-based slab waveguide includes a lens duct formed integrally with the slab waveguide” which is fully supported by the original disclosure at, for example, paragraphs 53 and 54.

Claims Rejections 35 USC 103

Claims 1, 3-4, 6-7, 9-12, and 21-25 are rejected under 35 USC 103(a) as being obvious over Kaneko et al. (6,088,492; “Kaneko”) in view of Bazylenko (6,549,688; “Bazylenko”). Claims 1 and 5 are rejected under 35 USC 103(a)s as being obvious over Kaneko in view of Bazylenko and further in view of Beach (Non-Patent Literature: Theory and optimization of lens ducts; “Beach”). Claims 1, 7, and 8 are rejected under 35 USC 103(a) as being obvious over Kaneko, Bazylenko, and further in view of Henrich (2003/0185266; “Henrich”). Claims 1 and 10-14 are rejected under 35 USC 103(a) as being obvious over Kaneko in view of Bazylenko and further in view of Zhou et al. (2003/0044118; “Zhou”). Applicants respectfully request reconsideration and allowance of all pending claims in view of the amendments.

The above cited references do not disclose “the at least one amorphous film-based slab waveguide includes a lens duct formed integrally with the slab waveguide” as is currently recited in claims 1 and 21. Kaneko discloses “a method of producing an optical waveguide comprising a siloxane containing polymer film” (Abstract). Bazylenko discloses “an integrated optical device comprising a metaloxide-based optical planar waveguide amplifier.” (Abstract). However, as the Examiner concluded on page 4 of the present Office Action “Kaneko in view of Bazylenko does not explicitly teach the [slab] waveguide configuration comprises a lens duct.”

In the discussion relating to the patentability of claim 5, the scope of which is now incorporated into claims 1 and 21, the Examiner states that “Beach teaches a waveguide device with a lens duct.” (Page 4). However, Beach does not disclose “a lens duct formed integrally with the slab waveguide” as recited by claim 1 and 21. Beach specifically states that “the output

¹ As Applicant's remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicant's silence as to certain assertions, characterizations, or requirements applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, etc.) is not a concession by Applicants that such assertions or

face of the lens duct does not physically contact the laser rod.” (Page 2, right-hand column, middle of the first complete paragraph). Figures 1, 2, 5, and 9 also show the lens duct disclosed in Beach as a stand-alone apparatus which is not “integrally formed with [a] slab waveguide.” Therefore, Beach also does not disclose “the at least one amorphous film-based slab waveguide includes a lens duct formed integrally with the slab waveguide.” Applicants respectfully request the rejections to claims 1 and 21 be withdrawn.

Claims 3-4, 6-7, 9-14 and 22-25 each depend from either claim 1 or 12 and are patentable at least for the reasons claims 1 and 12 are patentable. Secondary references Henrichs and Zhou also do not make up for the deficiency of Bazylenko, Kanek, and Beach. Henrichs teaches a “(FCSSL) ‘Folded Cavity Solid State Laser’ comprising a waveguide (35) having at least one total internal reflecting prism (35A) constructed from ion-implanted laser-active material defining a folded cavity...” (Abstract). Zhou teaches “methods for transforming the optical between a photonic device and one or more optical fibers.” (Par. [0003]). However, neither Henrichs nor Zhou disclose an “amorphous film-based slab waveguide includes a lens duct formed integrally with the slab waveguide” as recited by claims 1 and 21. Applicants respectfully request the rejections to claims 3-4, 6-7, 9-14 and 22-25 be withdrawn.

CONCLUSION

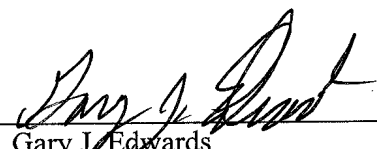
In light of the foregoing, Applicant respectfully requests that the rejections and objections be withdrawn and the claims allowed. Should any other action be contemplated by the Examiner, it is respectfully requested that he contact the undersigned at (408) 660-4120 to discuss the application.

No fees, including extension of time fees, are believed necessary for consideration of the present paper. However, if any fees, including extension of time fees, are necessary, the extension of time is hereby requested, and the Commissioner is hereby authorized to charge any fees, including those for the extension of time, to Haynes and Boone, LLP's Deposit Account No. 08-1394.

Respectfully submitted,

Dated: November 19, 2009

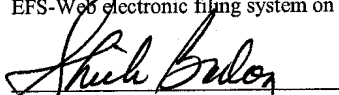
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I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office (USPTO) via the USPTO's EFS-Web electronic filing system on November 19, 2009.


Sheila Badon